

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	2:15-CR-044-GMN-(GWF)
	)	
Plaintiff,	)	
	)	
v.	)	Final Order of Forfeiture
	)	
THEREN PHILLIP FRAZIER,	)	
	)	
Defendant.	)	

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p) based upon the plea of guilty by defendant Theren Phillip Frazier to the criminal offenses, forfeiting the property and imposing an in personam criminal forfeiture money judgment set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegations of the Superseding Criminal Indictment and shown by the United States to have the requisite nexus to the offenses to which defendant Theren Phillip Frazier pled guilty. Superseding Criminal Indictment, ECF No. 54; Bill of Particulars, ECF No. 60; Change of Plea, ECF No. 113; Plea Agreement, ECF No. 114; Preliminary Order of Forfeiture, ECF No. 125.

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1 This Court finds the United States of America published the notice of forfeiture in  
2 accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov),  
3 consecutively from November 11, 2016, through December 10, 2016, notifying all potential third  
4 parties; and notified known third parties by personal service or by regular mail and certified mail  
5 return receipt requested, of their right to petition the Court. Notice of Filing Proof of Publication,  
6 ECF No. 120.

7 On November 18, 2016, the United States Attorney's Office served The Estate of Earl W.  
8 Cooley, c/o Terry L. Cooley, with copies of the Preliminary Order of Forfeiture and the Notice  
9 through regular mail and certified mail, return receipt requested. Notice of Filing Service of  
10 Process – Mailing, ECF No. 119.

11 This Court finds no petition was filed herein by or on behalf of any person or entity and  
12 the time for filing such petitions and claims has expired.

13 This Court finds no petitions are pending with regard to the property named herein and  
14 the time for presenting such petitions has expired.

15 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all  
16 right, title, and interest in the property hereinafter described is condemned, forfeited, and vested  
17 in the United States of America:

- 18 1. \$214.59 in United States Currency;
  - 19 2. a 9 mm semiautomatic handgun, Intratec model TEC-9, serial number 65201; and
  - 20 3. any and all ammunition
- 21 (all of which constitutes property); and

22 that the United States recover from Theren Phillip Frazier the in personam criminal  
23 forfeiture money judgment of \$4,343, held jointly and severally liable with any codefendants,  
24 and that the property will not be applied toward the payment of the money judgment; and

25 the forfeiture of the money judgment and the property is imposed pursuant to Fed. R.  
26 Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code,

1 Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States  
2 Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section 2461(c);  
3 Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section  
4 2461(c); Title 21, United States Code, Section 853(p); and Title 21, United States Code, Section  
5 853(n)(7); that the money judgment shall be collected; and that the property and the collected  
6 amount shall be disposed of according to law.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited  
8 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well  
9 as any income derived as a result of the United States of America's management of any property  
10 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of  
11 according to law.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies  
13 of this Order to all counsel of record and three certified copies to the United States Attorney's  
14 Office, Attention Asset Forfeiture Unit.

15 DATED this 24 day of January, 2017.

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20 UNITED STATES DISTRICT JUDGE  
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**PROOF OF SERVICE**

A copy of the foregoing was served upon counsel of record via Electronic Filing on  
January 13, 2017.

/s/ Priscila Matera Whalen  
PRISCILA MATERA WHALEN  
FSA Paralegal